

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
SAN FRANCISCO BAY REGION

ORDER NO. 94-078

REVISING ORDER NO. 93-024, SITE CLEANUP REQUIREMENTS FOR:

WARNER-LAMBERT COMPANY, SNOWDEN-PENCER, INC., AND
W. LESLIE PELIO & ASSOCIATES AND THE
UNITED STATES POSTAL SERVICE

FOR THE PROPERTY LOCATED AT:
1587 DELL AVENUE, CAMPBELL
SANTA CLARA COUNTY

The California Regional Water Quality Control Board, San Francisco Bay Region (hereinafter called the Board), finds that:

1. The Board adopted Site Cleanup Requirements Order 93-024 for this Site on March 17, 1993.
2. Snowden-Pencer, Inc., as the original industrial owner-occupant, manufactured surgical instruments at the Site from *circa* 1968 until the end of 1971, and is a Discharger because Snowden-Pencer stored and used chemicals, specifically PCE, which have been found in soil and groundwater at this Site.
3. Warner-Lambert is a Discharger because Warner-Lambert purchased the property and business from Snowden-Pencer and continued the manufacturing procedure implemented by Snowden-Pencer until mid-1984, at which time Snowden-Pencer re-acquired the business and occupied the Site and resumed manufacturing until 1986. (The Adler Instrument Company owned the business for a short time in 1984.)
4. The United States Postal Service, present owner and occupant of the property, and W. Leslie Pelio and Associates, former owner of the property (from mid/late 1984 until it was purchased by the U.S. Postal Service in late 1987), are secondarily responsible for compliance if Snowden-Pencer, Inc. and Warner-Lambert Co. fail to comply with Order requirements.
5. Warner-Lambert (Discharger) has been performing investigations and remedial work in accordance with requirements of Board Order 93-024, but has encountered delays in completing construction of a groundwater extraction well and appurtenances and obtaining necessary authorization for the extraction, treatment, and discharge of groundwater.
6. The delays encountered in completing interim remedial action and the implementation of interim remedial action (Tasks b.2 and b.3) have resulted or will result in delays in completing other Tasks required by Board Order.
7. Warner-Lambert (Discharger) has provided a proposed revised schedule for completing required Tasks and requested a maximum delay of one year to complete some Tasks. The Board, considering the specific circumstances involved, finds this request to be reasonable.

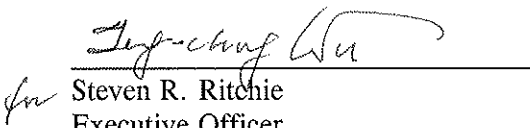
8. This action is an Order to enforce the laws and regulations administered by the Board. This action is categorically exempt from the provisions of the CEQA pursuant to Section 15321 of the Resources Agency Guidelines.
9. The Board has notified the Dischargers and interested agencies and persons of its intent under the California Water Code to revise Site Cleanup Requirements and has provided them with the opportunity for a public hearing and an opportunity to submit their written views and recommendations.
10. The Board, in public meeting, heard and considered all comments pertaining to the discharge.

IT IS HEREBY ORDERED, pursuant to provisions of the California Water Code and regulations adopted thereunder, that the Dischargers shall comply with the following:

1. PROVISION 3 shall be revised to read as follows:
 - b. 3) COMPLETE IMPLEMENTATION OF INTERIM REMEDIAL ACTIONS
COMPLETION DATE: December 1, 1994
 - b. 4) EVALUATE INTERIM REMEDIAL ACTIONS AND PROPOSE MODIFICATIONS
COMPLETION DATE: June 1, 1995
 - b. 5) COMPLETE MODIFICATIONS TO INTERIM REMEDIAL ACTIONS
COMPLETION DATE: September 1, 1995
 - c. 1) PROPOSED FINAL CLEANUP PLAN
COMPLETION DATE: December 1, 1995
 - c. 2) COMPLETE IMPLEMENTATION OF FINAL CLEANUP PLAN AND ACTIONS
COMPLETION DATE: May 1, 1996

I, Steven R. Ritchie, Executive Officer, do hereby certify that the foregoing is a full, true and correct copy of an Order adopted by the California Regional Water Quality Control Board, San Francisco Bay Region, on July 20, 1994.

July 22, 1994


for Steven R. Ritchie
Executive Officer